

RCRA Inspection Report

1) Inspectors and Authors of Report

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2) Facility Information

Sheboygan Paint Company
608 Canal Street
Cedartown, Georgia 30125

EPA ID#: GAD118273945
NAICS #: 325510 – Paint and Coating
Manufacturing

3) Responsible Officials

Gerhard Scherer
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4) Inspection Participants

Gerhard Scherer, Sheboygan Paint Company
Samantha Moran, Sheboygan Paint Company
Josh Land, Sheboygan Paint Company
Christian Touchet, Georgia Environmental Protection Division (GAEPD)
Summer Smith, GAEPD
Kayla Acosta, U.S. Environmental Protection Agency (EPA)
Daryl Himes, EPA
Nereida Hernandez Morales, EPA

5) Date of Inspection

May 31, 2023 at 9:15 am.

6) **Applicable Regulations¹**

Resource Conservation and Recovery Act (RCRA) Sections 3002 (42 U.S. Code – Annotated U.S.C.A. 6925 and 6927), and 40 Code of Federal Regulation (C.F.R.) Parts 260 - 270, 273, 278, & 279; Georgia Hazardous Waste Management Act, Ga. Code Ann. § 12-8-60 *et seq.*, and Georgia Hazardous Waste Management Rules, Ga. Comp. R. and Regs. 391-3-11.01 to 391-3-11.18 (2016 and 2018).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.02(1) [40 C.F.R. § 260.10], a large quantity generator of hazardous waste (LQG) is a generator who generates greater than or equal to 1,000 kilograms (2,200 pounds) of non-acute hazardous waste in a calendar month.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)], solvent-contaminated wipes, except for wipes that are hazardous waste due to the presence of trichloroethylene, that are sent for disposal are not hazardous wastes from the point of generation, provided that the conditions listed in Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)] are met (hereinafter referred to as the “Solvent-Contaminated Disposable Wipe Exclusion”).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or without having interim status, as required by Section 12-8-66 of the GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], and without complying with Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(7) and (8)], provided that the generator complies with the satellite accumulation area conditions listed in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)] (hereinafter referred to as the “SAA Permit Exemption”).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17], an LQG may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, as required by Section 12-8-66 of the GHWMA, Ga. Code Ann. § 12-8-66 [Section 3005 of RCRA, 42 U.S.C. § 6925], provided that the generator complies with the conditions listed in Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17] (hereinafter referred to as the “LQG Permit Exemption”).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.9], a small quantity handler of universal waste (SQHUW) is a universal waste handler who does not accumulate 5,000 kilograms or more of universal waste (batteries, pesticides, mercury-containing equipment, lamps, or aerosol cans, calculated collectively) at any time.

¹ As the State’s authorized hazardous waste program operates in lieu of the federal RCRA program, the citations of those authorized provisions will be to the authorized State program. However, for ease of reference, the federal citations will follow in brackets.

7) **Purpose of Inspection**

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection to determine Sheboygan Paint Company's compliance with the applicable requirements of RCRA and the corresponding Georgia regulations. This was an EPA lead inspection.

8) **Facility Description**

Sheboygan Paint Company (known hereinafter as "Sheboygan" or "the facility") was founded in 1921 according to their website. Sheboygan manufactures innovative, high-performance industrial coating products that are customized to precisely meet each customer's specific requirements. The company has two locations, one in Sheboygan, Wisconsin and the other in Cedartown, Georgia.

Sheboygan began operations at the Cedartown facility in 1984 and is approximately 40,000 square feet. The facility operates two shifts Monday-Friday. The first shift operates from 5:00am-1:30pm, the second shift 2:30pm-11:00pm, and there is an occasional third shift that operates 7:00am-3:30pm. The facility employs 40 personnel. The facility is secured with perimeter fencing and controlled access through the visitor entrance door.

The facility manufactures water-based and solvent-based paint and produces over one million gallons of paint per year. The first step in the process is where the raw materials (resin, pigments, and solvent) undergo premixing. The result is a concentrated form of coating with a high load of pigment. Sand mills are used to grind the pigment to make it finer and to produce a higher gloss. In an area called "letdown", the concentrated pigment meets resin, solvent, and other additives. A sample is then taken to the quality control (QC) laboratory to make sure the mixture meets all customer specifications. The paint is then filled in tubs or containers and considered finished goods. Paint mixtures that are not up to customer specifications are staged in a "Work Off" area where it is determined if the material can be salvaged and used in the manufacturing process.

The facility has been operating as a large quantity generator (LQG) of hazardous waste since 1985. The facility submitted its most recent notification of hazardous waste activity along with its biennial report on May 11, 2022. Hazardous waste generated onsite include the following EPA waste codes: D001 (waste paint-related material), D035 (methyl ethyl ketone), F003 (xylene), and F005 (toluene). The facility also generates universal waste spent fluorescent lamps. The facility also has an Air Quality Permit No. 2851-233-0050-S-01-0.

9) **Previous Inspection History**

One RCRA CEI was conducted at the subject facility between 2017 and 2023 and found four violations during that inspection.

GAEPD and EPA conducted the previous RCRA CEI on September 19, 2017, during which four apparent violations of RCRA were identified. The facility returned to compliance with an informal enforcement action dated November 30, 2017. The following regulations were identified as violations during the previous CEI:

- 40 C.F.R. § 273.15(a) One-year accumulation period for small quantity handlers unless 273.15(b) requirements are met.

- 40 C.F.R. § 273.13(d)(1) Lamp must be in containers that are structurally sound, adequate to prevent breakage & compatible; containers must remain closed & lack evidence of leakage, spillage or damage that could cause leakage.
- 40 C.F.R. § 262.34(c)(1)(i) Accumulation of up to 55 gal. of hazardous waste or 1 qt. acutely hazardous waste at point of generation; provisions which must be complied with; procedure if quantity limit is exceeded.
- 40 C.F.R. § 262.34(c)(1)(ii) Accumulation of up to 55 gal. of hazardous waste or 1 qt. acutely hazardous waste at point of generation; provisions which must be complied with; procedure if quantity limit is exceeded.

10) **Opening Conference**

On May 31, 2023, EPA inspectors Kayla Acosta, Daryl Himes, and Nereida Hernandez Morales, accompanied by GAEPD inspectors, Christian Touchet and Summer Smith, arrived at Sheboygan Paint Company at approximately 9:15 am. Samantha Moran, R&D Group Leader, immediately received the inspectors. Samantha Moran, and the inspectors were joined by Gerhard Scherer, Director of Business Development and Interim Site Manager, for the opening conference. The inspectors introduced themselves, showed their credentials, and explained the purpose of the visit.

The inspectors described the anticipated use of equipment (digital camera) during the inspection and provided a request for records. The digital camera could not be used inside the buildings due to ignition concerns. Therefore, Gerhard Scherer took photos inside the buildings with an iPad with an intrinsically safe case. The EPA inspector explained that the Small Business Regulatory Enforcement Fairness Act's classification of a "small business" is generally set by the Small Business Administration using the business' SIC/NAICS code and annual receipts or number of employees. A copy of the EPA's information sheet for small businesses can be found at <https://www.epa.gov/sites/production/files/2017-06/documents/smallbusinessinfo.pdf>. The EPA inspector also discussed the company's ability, pursuant to 40 C.F.R. § 2.203, to assert a business confidentiality claim for information submitted to EPA. The company did not assert a business confidentiality claim.

Gerhard Scherer provided an overview of the facility's history and current operations during the opening conference. The inspection participants also discussed health and safety protocols and required personal protective equipment before Facility representative led the inspectors on a tour of the Facility operations.

11) **Inspection Observations**

The facility is comprised of two buildings. The South Building contains the administrative offices, a QC laboratory, Warehouse A and Warehouse B, processing and packaging, and a finished goods area. The North Building contains Warehouse C and D and a shipping and receiving area.

Receiving:

The receiving area is located in the North Building and is where raw products are delivered. If raw material is received in a damaged container, it is placed in a secure container moved to the

90-day central accumulation area (CAA) and shipped back to the supplier as “damaged goods”. No hazardous waste was observed in the receiving area.

Breezeway in Between North and South Buildings:

There were several containers varying in size between 1-gallon to 55-gallons that were staged in the breezeway and were not empty. When the inspectors asked about the containers, the facility representatives stated that they were in the process of consolidating products and removing waste. The following waste was observed in this area:

Container Size (gal)	Drum Label	Hazardous Waste Labeled?	Start Accumulation Date	Hazard Indication	Open/Closed	Comment	Photo #
55-gal	Non-hazardous waste	N/A	N/A	N/A	No		N/A
55-gal	Non-hazardous waste	N/A	N/A	N/A	No		N/A
55-gal	Non-hazardous waste	N/A	N/A	N/A	Yes		1
55-gal	Solvent waste	No	No Date	Yes	Closed	No waste code	2
55-gal	Solvent waste	No	No Date	Yes	Closed	No waste code	3
55-gal	Solvent waste	No	No Date	Yes	Open	Plastic wrap lid. No waste code	4
55-gal	Pigment waste	No	No Date	Yes	Closed	No waste code	5
55-gal	Pigment waste	No	No Date	Yes	Closed	No waste code	6
55-gal	Solvent waste	No	No Date	Yes	Open	Plastic wrap lid. No waste code	7
55-gal	Solvent waste	No	No Date	Yes	Closed	No waste code	8

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(1)(iv)(A)], which is a condition of the LQG permit exemption, a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.1083(c)(1)], a tank, surface impoundment, or container is exempt from standards specified in Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.1085 through 265.1088] of this subpart, as applicable, provided that the waste management unit is one of the following: (1) A tank, surface impoundment, or container for which all hazardous waste entering the unit has an average VO concentration at the point of waste origination of less than 500 parts per million by weight (ppmw). The average VO concentration shall be determined using the procedures specified in Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.1084(a)] of this subpart. The owner or operator shall review and update, as necessary, this determination at least once every 12 months following the date of the initial determination for the hazardous waste streams entering the unit.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.1087(c)(1)(ii)], which is a condition of the LQG permit exemption, a container using Container Level 1 controls is one of the following: (ii) a container equipped with a cover and closure devices that form a continuous barrier over the container openings such that when the cover and closure devices are secured in the closed position there are no visible holes, gaps, or other open spaces into the interior of the container. The cover may be a separate cover installed on the container (e.g., a lid on a drum or a suitably secured tarp on a roll-off box) or may be an integral part of the container structural design (e.g., a “portable tank” or bulk cargo container equipped with a screw-type cap).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(A)], which is a condition of the LQG permit exemption, a large quantity generator must mark or label its containers with the following: (A) The words “Hazardous Waste”.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(C)], which is a condition of the LQG permit exemption, a large quantity generator must mark or label its containers with the following: The date upon which each period of accumulation begins clearly visible for inspection on each container.

Next to the 55-gallon containers on a wooden pallet were containers that had not yet received a hazardous waste determination. The inspectors observed:

- 24 containers varying in size (one quart to 5-gallons). Two (2) of the containers did not have a secure lid and were labeled “solvent-based primer” and contained material inside (Photos 9-11).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 40 C.F.R. § 261.2, must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.251], a large quantity generator must maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

Staging Area for In-Progress Containers and Solvent Wash Containers:

This area is located in the South Building next to the breezeway entrance. During the inspection, several 55-gallon containers with products were staged against a wall waiting to be added to a mixture of paint and were considered “in-progress.” These products are functional additives for a variety of requirements such as corrosion protection or high gloss additives. Some of these are water-based additives while others are solvent-based additives. The containers are covered with a loose plastic which is fitted to the container instead of a secure solid lid sealed with a drum ring. Especially for containers with solvent-based additives, a solid and sealed lid should be used to keep these containers closed if they are not actively in use. No hazardous waste was observed in this area.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.251], a large quantity generator must maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

Tub Wash and Satellite Accumulation Area (SAA):

Across from the in-progress containers were tubs waiting to be washed. Paint products are made in tubs if they are less than 400-gallons. Dirty tubs are made RCRA empty before being washed and reused. The facility uses reclaimed solvent from mill washing to wash the tubs. A 55-gallon drum of solvent wash is transferred to a recirculation tank where it is pumped via an air-driven pump into the tub washer and returned to the recirculation tank via hard piping. Overnight, solids settle in the cone-shaped bottom of the recirculation tank. In the morning an employee drains some of the heavy portion into a 55-gallon waste container underneath the recirculation tank. This waste sludge is sent to Giant Resource Recovery Attalla in Attalla, Alabama. Since waste is accumulating in the tank, the facility must comply with the applicable requirements of a hazardous waste tank.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(2)], which is a condition of the LQG permit exemption, if the waste is placed in tanks, the large quantity generator must comply with the applicable requirements of subparts J, except Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.197(c)] of Closure and post-closure care and Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.200]—Waste analysis and trial tests, as well as the applicable requirements of Ga. Comp. R. and Regs. 391-3-11-.10(1) [AA, BB, and CC of 40 C.F.R. Part 265].

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(ii)(A-D)], which is a condition of the LQG permit exemption, a large quantity generator accumulating hazardous waste in tanks must do the following: (A) Mark or label its tanks with the words “Hazardous Waste”; (B) Mark or label its tanks with an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National

Fire Protection Association code 704); (C) Use inventory logs, monitoring equipment or other records to demonstrate that hazardous waste has been emptied within 90 days of first entering the tank if using a batch process, or in the case of a tank with a continuous flow process, demonstrate that estimated volumes of hazardous waste entering the tank daily exit the tank within 90 days of first entering; and (D) Keep inventory logs or records with the above information on site and readily available for inspection.

The inspectors observed one (1) 55-gallon open container of sludge waste with no hazardous waste label and no hazard indication, (Photo 12).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA permit exemption, a container holding hazardous waste must be closed at all times during accumulation, except: (i) When adding, removing, or consolidating waste; or (ii) when temporary venting of a container is necessary.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(i)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (i) The words “Hazardous Waste”.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(ii)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (ii) an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

Next to the Tub Wash, the inspectors observed a 30-gallon red container (Photo 13) labeled “Dirty Rags” that is used to collect solvent-contaminated wipes. The container did not have the correct label for excluded solvent-contaminated wipes and did not have an accumulation start date.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(i)], Solvent-contaminated wipes, except for wipes that are hazardous waste due to the presence of trichloroethylene, that are sent for disposal are not hazardous wastes from the point of generation provided that (i) The solvent-contaminated wipes, when accumulated, stored, and transported, are contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.” The containers must be able to contain free liquids, should free liquids occur. During accumulation, a container is considered closed when there is complete contact between the fitted lid and the rim, except when it is necessary to add or remove solvent-contaminated wipes. When the container is full, or when the solvent-contaminated wipes are no longer being accumulated, or when the container is being transported, the container must be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed sufficiently to prevent leaks and emissions.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(ii)], The solvent-contaminated wipes may be accumulated by the generator for up to 180 days from the start date of accumulation for each container prior to being sent for disposal.

Warehouse B:

Warehouse B is located in the South Building on the northeast side. It is used to store raw material, specifically bulk resin in six (6) above-ground storage tanks (ASTs). There are two (2) 3000-gal ASTs, two (2) 2000-gal ASTs, and two (2) 4,500-gallon ASTs that are not in use.

The inspectors also observed several sacks of CIMBAR/ barium sulfate on a rack and some barium sulfate spilled on the floor. The inspectors requested that the facility sweep up the spilled barium sulfate and properly dispose of it as it did not appear that a hazardous waste determination has been made for barium sulfate waste.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 40 CFR 261.2, must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations.

The inspectors observed two wooden pallets stacked with containers varying in size from 1-5 gallons and several bags and boxes containing material with some containers being marked with a DOT hazardous material label (Photos 14 and 15). The material in these containers had not yet been determined as waste or if they could be used as product.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in [O.C.G.A. §12-8-62(20)] [40 C.F.R. § 261.2], must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations.

Warehouse A and SAA:

Warehouse A is located in the South Building on the southeast side next to the QC laboratory. Warehouse A is used to store raw materials such as dry pigments, specialty additives, and solvents. There is also an SAA for QC laboratory waste located in front of the QC Laboratory. As required by the SAA Permit Exemption, the SAA should be at or near the point where laboratory generated waste is initially generated and under the control of the laboratory personnel. This SAA should be staged inside the QC Laboratory or it must be managed as another 90-Day CAA. The inspectors observed the following:

- One (1) 55-gallon container of solvent paint waste mixed with solids, closed, with a small hazardous waste label (Photo 16, right container), and an indication of hazard. The inspectors recommended a larger hazardous waste label since the current one was not clearly noticeable.
- One (1) 55-gallon container of highly concentrated solvent waste, no hazardous waste label, and a hazard indication (Photo 17).
- One (1) 55-gallon container of water-based paint (product) used in the laboratory.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. §262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste and/or either one

quart of liquid acute hazardous waste listed in [Ga. Comp. R. and Regs. 391-3-11-.07(1)] [40 C.F.R. § 261.31 or § 261.33(e)] of this chapter or 1 kg (2.2 lbs) of solid acute hazardous waste listed in [Ga. Comp. R. and Regs. 391-3-11-.07(1)] [40 C.F.R. § 261.31 or § 261.33(e)] of this chapter in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with the requirements of [Ga. Comp. R. and Regs. 391-3-11-.10(1)&(2), 391-3-11-.11] [40 C.F.R. Parts 124, 264 through 267, and 270] of this chapter, provided that all of the conditions for exemption in this section are met. A generator may comply with the conditions for exemption in this section instead of complying with the conditions for exemption in [Ga. Comp. R. and Regs. 391-3-11-.08(1)] [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in [40 C.F.R. § 262.15(a)(7) and (8)].

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. §262.15(a)(5)(i)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (i) The words “Hazardous Waste”.

Facility representatives placed “Hazardous Waste” labels on the two 55-gallon containers of solvent and solvent paint waste.

Loading Dock Outside of Warehouse A:

Empty containers are stored on the loading dock. The inspectors observed one (1) 5-gallon open container with about 1 ½ inches of material inside the container (Photo 18). The container did not have a label on it. Facility representatives later determined the material inside the open container was (2) Gloss Black DTM Epoxy Coating and provided the safety data sheet (SDS). Based on the SDS, the material is a flammable liquid.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA permit exemption, a container holding hazardous waste must be closed at all times during accumulation, except: (i) When adding, removing, or consolidating waste; or (ii) when temporary venting of a container is necessary.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. §262.15(a)(5)(i)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (i) The words “Hazardous Waste”.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. §262.15(a)(5)(ii)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (ii) an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

The inspectors also observed the following:

- Two (2) 55-gallon closed containers labeled “dirty mop heads”. Waste profiles or hazardous waste determinations could not be provided for the dirty mop heads. Dirty mop heads are taken by CINTAS (Photo 19).
- Two (2) 55-gallon containers that appeared to have material inside and did not have any sort of labeling (Photo 20).
- Two (2) 55-gallon containers of solvent-contaminated wipes labeled “dirty rags” (Photo 21). The container was not properly labeled “excluded solvent contaminated wipes” and did not have an accumulation start date.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 40 CFR 261.2, must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(i)], Solvent-contaminated wipes, except for wipes that are hazardous waste due to the presence of trichloroethylene, that are sent for disposal are not hazardous wastes from the point of generation provided that (i) The solvent-contaminated wipes, when accumulated, stored, and transported, are contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.” The containers must be able to contain free liquids, should free liquids occur. During accumulation, a container is considered closed when there is complete contact between the fitted lid and the rim, except when it is necessary to add or remove solvent-contaminated wipes. When the container is full, or when the solvent-contaminated wipes are no longer being accumulated, or when the container is being transported, the container must be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed sufficiently to prevent leaks and emissions.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 CFR 261.4(b)(18)(ii)], The solvent-contaminated wipes may be accumulated by the generator for up to 180 days from the start date of accumulation for each container prior to being sent for disposal.

Premix Area and SAA:

In the premixing area inspectors observed one (1) 55-gallon container of solvent waste. The container was opened with just a plastic cover, labeled “Hazardous Waste”, and missing a hazard indication (Photo 22).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA permit exemption, a container holding hazardous waste must be closed at all times during accumulation, except: (i) When adding, removing, or consolidating waste; or (ii) when temporary venting of a container is necessary.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(ii)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (ii) an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F

(placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

Baghouse and SAA:

There is a dust collector located towards the center of the South Building. Two (2) 55-gallon containers were observed collecting waste from the dust collector (Photo 23). Facility representatives manage the dust collector waste as non-hazardous waste. Waste profiles and/ or a waste determination for the dust collector waste was not available for review.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11(f)], a small or large quantity generator must maintain records supporting its hazardous waste determinations, including records that identify whether a solid waste is a hazardous waste, as defined by [O.C.G.A. §12-8-62(10) and Ga. Comp. R. and Regs. 391-3-11-.07(1)] [40 C.F.R. § 261.3]. Records must be maintained for at least three years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal. These records must comprise the generator's knowledge of the waste and support the generator's determination, as described at paragraphs (c) and (d) of this section. The records must include, but are not limited to, the following types of information: The results of any tests, sampling, waste analyses, or other determinations made in accordance with this section; records documenting the tests, sampling, and analytical methods used to demonstrate the validity and relevance of such tests; records consulted in order to determine the process by which the waste was generated, the composition of the waste, and the properties of the waste; and records which explain the knowledge basis for the generator's determination, as described at paragraph (d)(1) of this section. The periods of record retention referred to in this section are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Administrator.

The inspectors also observed one (1) 55-gallon container of solvent-contaminated wipes. The container was not securely closed, was missing a label, and did not have an accumulation start date (Photo 24).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(i)], Solvent-contaminated wipes, except for wipes that are hazardous waste due to the presence of trichloroethylene, that are sent for disposal are not hazardous wastes from the point of generation provided that (i) The solvent-contaminated wipes, when accumulated, stored, and transported, are contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.” The containers must be able to contain free liquids, should free liquids occur. During accumulation, a container is considered closed when there is complete contact between the fitted lid and the rim, except when it is necessary to add or remove solvent-contaminated wipes. When the container is full, or when the solvent-contaminated wipes are no longer being accumulated, or when the container is being transported, the container must be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed sufficiently to prevent leaks and emissions.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(ii)], The solvent-contaminated wipes may be accumulated by the generator for up to 180 days from the start date of accumulation for each container prior to being sent for disposal.

The inspectors also observed two (2) 55-gallon containers of solvent waste, labeled “hazardous waste”, not securely closed, and not marked with a hazard identification (Photo 25).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste and/or either one quart of liquid acute hazardous waste listed in [Ga. Comp. R. and Regs. 391-3-11-.07(1)] [40 C.F.R. § 261.31 or § 261.33(e)] of this chapter or 1 kg (2.2 lbs) of solid acute hazardous waste listed in [Ga. Comp. R. and Regs. 391-3-11-.07(1)] [40 C.F.R. § 261.31 or § 261.33(e)] of this chapter in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with the requirements of [Ga. Comp. R. and Regs. 391.3-11-.10(1)&(2), 391.3-11-.11] [40 C.F.R. Parts 124, 264 through 267, and 270] of this chapter, provided that all of the conditions for exemption in this section are met. A generator may comply with the conditions for exemption in this section instead of complying with the conditions for exemption in [Ga. Comp. R. and Regs. 391-3-11-.08(1)] [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in [40 C.F.R. § 262.15(a)(7) and (8)].

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA permit exemption, a container holding hazardous waste must be closed at all times during accumulation, except: (i) When adding, removing, or consolidating waste; or (ii) when temporary venting of a container is necessary.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. §262.15(a)(5)(ii)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (ii) an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

Milling Area:

This area is where the pigment is being grinded down. This is also a tinting area where samples are collected to see if the tint is up to standard. The inspectors observed:

- One (1) 55-gallon container labeled Blade Wash that was missing a hazardous waste label and an indication of hazard.
- One (1) 5-gallon container of solvent-contaminated wipes labeled “dirty rags.”

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(i)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (i) The words “Hazardous Waste”.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(ii)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (ii) an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

The facility representatives immediately placed a hazardous waste label and a DOT placard marking the hazard indication on the Blade Wash container during the inspection.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(i)], Solvent-contaminated wipes, except for wipes that are hazardous waste due to the presence of trichloroethylene, that are sent for disposal are not hazardous wastes from the point of generation provided that (i) The solvent-contaminated wipes, when accumulated, stored, and transported, are contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.” The containers must be able to contain free liquids, should free liquids occur. During accumulation, a container is considered closed when there is complete contact between the fitted lid and the rim, except when it is necessary to add or remove solvent-contaminated wipes. When the container is full, or when the solvent-contaminated wipes are no longer being accumulated, or when the container is being transported, the container must be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed sufficiently to prevent leaks and emissions.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(ii)], The solvent-contaminated wipes may be accumulated by the generator for up to 180 days from the start date of accumulation for each container prior to being sent for disposal.

Letdown and SAA in the Filling Area:

The letdown area is towards the center of the South Building and is where the concentrated pigment after milling is combined with resin, solvent, and other additives. The filling area is located towards the center of the South Building and near the letdown tanks. After paint undergoes final mixing and approval from the QC laboratory, it is filled into containers and moved to the “Finished Goods” area. This area also contains an SAA. The inspectors observed the following (Photos 26-29):

- One (1) 55-gallon container of solvent waste, labeled “Hazardous Waste”, not marked with an indication of hazard, and the container was opened.
- One (1) 55-gallon container of solvent waste paint, the container was closed, labeled “Hazardous Waste”, not marked with an indication of hazard.
- One (1) 55-gallon container of solvent waste bags, labeled “Hazardous Waste”, not marked with an indication of hazard, and the container was opened.
- One (1) 55-gallon container of tool wash, labeled “Hazardous Waste”, not marked with an indication of hazard, and the container was opened.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA permit exemption, a container holding hazardous waste must be closed at all times during accumulation, except: (i) When adding, removing, or consolidating waste; or (ii) when temporary venting of a container is necessary.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(ii)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (ii) an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

QC Laboratory:

The inspectors met with Samantha Moran and were introduced to Josh Land, Research Scientist who explained the operations in the QC laboratory. The inspectors observed one 5-gallon closed container of solvent-contaminated wipes labeled “dirty rags”. The container of rags is emptied out after each shift and consolidated into a 55-gallon container located outside of the QC laboratory. The container was not properly labeled “excluded solvent contaminated wipes” and did not have an accumulation start date.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(i)], Solvent-contaminated wipes, except for wipes that are hazardous waste due to the presence of trichloroethylene, that are sent for disposal are not hazardous wastes from the point of generation provided that (i) The solvent-contaminated wipes, when accumulated, stored, and transported, are contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.” The containers must be able to contain free liquids, should free liquids occur. During accumulation, a container is considered closed when there is complete contact between the fitted lid and the rim, except when it is necessary to add or remove solvent-contaminated wipes. When the container is full, or when the solvent-contaminated wipes are no longer being accumulated, or when the container is being transported, the container must be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed sufficiently to prevent leaks and emissions.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(ii)], The solvent-contaminated wipes may be accumulated by the generator for up to 180 days from the start date of accumulation for each container prior to being sent for disposal.

The QC laboratory has a small spray booth. Filters from the spray booth are managed as hazardous waste.

Warehouse C:

Warehouse C is located in the North Building and is where the “Work Off” storage area is located. The work off area is where off-spec paint is stored and a determination is made on how

to re-introduce the product back into the process. The rest of the area is for the storage of finished goods. No hazardous waste was observed in this area.

90-Day CAA:

The facility manages a hazardous waste CAA outside on the west side of the facility. The CAA is on a concrete containment pad. The area was identified with a sign which read “Caution, Hazardous Waste Storage” (Photo 30). The facility manages ignitable waste in this CAA. The inspectors did not observe a “No Smoking” sign near the CAA. The CAA is equipped with an internal communications or alarm system capable of providing immediate emergency instruction to facility personnel; it is equipped with portable fire extinguishers and spill control equipment; and it is equipped with water to supply water hose streams.

The inspectors observed 26 55-gallon containers of hazardous waste which were all closed. The containers had adequate aisle space to inspect each container. Most containers were properly labeled, dated, and marked with an indication of hazard. However, there was one (1) 55-gallon container that was not labeled, dated, or marked with an indication of hazard (Photo 31). The container was not empty. Another two (2) 55-gallon containers appeared to have been stored over 90 days with a start accumulation date of 02/19/2023 (Photo 32) and 03/17/2023 (Photo 33).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(1)(vi)(B)], which is a condition of the LQG permit exemption, the large quantity generator must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste must be separated and protected from sources of ignition or reaction including but not limited to the following: Open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the large quantity generator must confine smoking and open flame to specially designated locations. “No Smoking” signs must be conspicuously placed wherever there is a hazard from ignitable or reactive waste.

On July 11, 2023, Gerhard Scherer emailed a photo of the CAA with a “No Smoking” sign and emergency contacts.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)], which is a condition of the LQG permit exemption, a large quantity generator accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension or F006 accumulation conditions for exemption in paragraphs (b) through (e) of this section.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(A)], which is a condition of the LQG permit exemption, a large quantity generator must mark or label its containers with the following: (A) The words “Hazardous Waste”.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(B)], which is a condition of the LQG permit exemption, a large quantity generator must mark or label its containers with the following: an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department

of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(C)], which is a condition of the LQG permit exemption, a large quantity generator must mark or label its containers with the following: the date upon which each period of accumulation begins clearly visible for inspection on each container.

Next to the CAA was a product tank farm which stores a 3,000-gallon xylene AST and a 3,000-gallon acetone AST. No hazardous waste was observed in this area.

Maintenance Room:

Universal waste is stored in the maintenance room. The inspectors observed ten (10) spent fluorescent bulbs in an open container (Photo 33), not labeled with the words “Universal Waste”, or marked with an accumulation start date.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.13(d)(1)], a small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.14(e)], each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: “Universal Waste—Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s)”.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.15(c)], a small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

12) Records Review

Contingency Plan and Quick Reference Guide (QRG):

The actions that facility personnel should take in response to an emergency are described in the facility’s Contingency Plan and Emergency Procedures, which was last updated on January 11, 2021. The plan describes actions facility personnel must take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility. The plan describes arrangements agreed to with the local fire department.

The plan lists the names and emergency telephone numbers for persons identified as emergency coordinators. Scott Porterfield is listed as the primary emergency coordinator and is no longer

with the company. The contingency plan and QRG will need to be updated to identify the new primary emergency coordinator and alternates.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.263], the contingency plan must be reviewed, and immediately amended, if necessary, whenever: (d) The list of emergency coordinators changes.

The plan includes a list of all emergency equipment at the facility. The list includes fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment. The list appears to be up to date. The plan includes the location and a physical description of each item on the list. The plan includes an evacuation plan for personnel. This plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.

Documentation showing proof that a copy of the Contingency Plan was submitted to the local emergency response authorities was not provided.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.256(b)], the large quantity generator shall maintain records documenting the arrangements with the local fire department as well as any other organization necessary to respond to an emergency. This documentation must include documentation in the operating record that either confirms such arrangements actively exist or, in cases where no arrangements exist, confirms that attempts to make such arrangements were made.

The facility did not have a QRG attached to the contingency plan. This most current contingency plan was amended in 2021, after the Generator Improvement Rule was authorized in the state of Georgia.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.262(b)], A large quantity generator that first becomes subject to these provisions after May 30, 2017 or a large quantity generator that is otherwise amending its contingency plan must at that time submit a quick reference guide of the contingency plan to the local emergency responders identified at paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee. The quick reference guide must include the following elements: (1) The types/names of hazardous wastes in layman's terms and the associated hazard associated with each hazardous waste present at any one time (e.g., toxic paint wastes, spent ignitable solvent, corrosive acid); (2) The estimated maximum amount of each hazardous waste that may be present at any one time; (3) The identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; (4) A map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; (5) A street map of the facility in relation to surrounding businesses, schools and residential areas to understand how best to get to the facility and also evacuate citizens and workers; (6) The locations of water supply (e.g., fire hydrant and its flow rate); (7) The identification of on-site notification systems (e.g., a fire alarm that rings off site, smoke alarms); and (8) The name of the emergency coordinator(s) and 7/24-hour emergency telephone number(s) or, in the case of a facility where an emergency coordinator is continuously on duty, the emergency telephone number for the emergency coordinator.

Training Records:

Facility job descriptions for employees handling hazardous waste was not available for review. The facility did not provide a written description of the type and amount of both introductory and continuing training to be given to each person filling the positions listed above. The inspectors reviewed records of employee hazardous waste training completed on May 3, 2022, for Frank Scott and Jodi Ingram. Training records were not available for 2021 and 2023.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(7)(iv)], which is a condition of the LQG permit exemption, the large quantity generator must maintain the following documents and records at the facility: (A) The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; (B) A written job description for each position listed under paragraph (a)(7)(iv)(A) of this section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position; (C) A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under paragraph (a)(7)(iv)(A) of this section; (D) Records that document that the training or job experience, required under paragraphs (a)(7)(i), (ii), and (iii) of this section, has been given to, and completed by, facility personnel.

Waste Manifest and Land Disposal Restriction (LDR) Records:

The inspectors reviewed available hazardous waste manifest records and land disposal restriction forms for shipments of hazardous waste sent since the beginning of 2023 to May 2023. Manifest records were not available for the years 2020-2022.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.40(a)], a generator must keep a copy of each manifest signed in accordance with [Ga. Comp. R. and Regs. 391-3-11-.08(1)] [40 C.F.R. § 262.23(a)] for three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter.

Hazardous waste manifest records show that D001 (waste paint-related material), D035 (methyl ethyl ketone), F003 (xylene), and F005 (toluene) are routinely shipped to Giant Resource Recovery Atalla (ALD070513767) and Reclaimed Energy (IND000780403), and the most recent shipment was made on May 16, 2023. Universal waste is also sent to Giant Resource Recovery Atalla (ALD070513767) and Reclaimed Energy (IND000780403).

Weekly Inspection Records:

Weekly inspection records were not available at the time of the inspection. On June 7, 2023, Gerhard Scherer sent an email with weekly inspections. The inspectors reviewed the facility's available records of inspections of the hazardous waste central accumulation area (CAA) between March 7, 2022 to April 24, 2023. Records were not available for 2020, 2021, January 2022, February 2022, and May 2023.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 40 CFR 262.17(a)(1)(v)], at least weekly, the large quantity generator must inspect central accumulation areas. The large quantity generator must look for leaking containers and for deterioration of containers caused by corrosion or other factors. See paragraph (a)(1)(ii) of this section for remedial action required if deterioration or leaks are detected.

The inspection log includes a checklist to record observations about leaking containers and for deterioration of containers caused by corrosion or other factors. The records include the date and time of the inspection and the initials of the employee conducting the inspection.

13) Closing Conference

The inspectors conducted the exit meeting at with Gerhard Scherer and Samantha Moran. During this meeting, the inspectors stated their preliminary conclusions of the inspection. The facility agreed to provide missing records, as soon as possible.

14) Summary of Observations

Based on the observations made during the inspection, the following RCRA requirements appear to be applicable at the subject facility:

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(i)], Solvent-contaminated wipes, except for wipes that are hazardous waste due to the presence of trichloroethylene, that are sent for disposal are not hazardous wastes from the point of generation provided that (i) The solvent-contaminated wipes, when accumulated, stored, and transported, are contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.” The containers must be able to contain free liquids, should free liquids occur. During accumulation, a container is considered closed when there is complete contact between the fitted lid and the rim, except when it is necessary to add or remove solvent-contaminated wipes. When the container is full, or when the solvent-contaminated wipes are no longer being accumulated, or when the container is being transported, the container must be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed sufficiently to prevent leaks and emissions.

- Next to the Tub Wash the inspectors observed a 30-gallon red container (Photo 13) labeled “Dirty Rags” that is used to collect solvent-contaminated wipes.
- On the Loading Dock Outside of Warehouse A the inspectors observed two (2) 55-gallon containers of solvent-contaminated wipes labeled “dirty rags” (Photo 21).
- Near the Baghouse the inspectors observed one (1) 55-gallon container of solvent-contaminated wipes. The container was not securely closed and was missing a label.
- In the Milling Area the inspectors observed one (1) 5-gallon container of solvent-contaminated wipes labeled “dirty rags.”
- In the QC Laboratory the inspectors observed one (1) 5-gallon closed container of solvent-contaminated wipes labeled “dirty rags”.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.07(1) [40 C.F.R. § 261.4(b)(18)(ii)], The solvent-contaminated wipes may be accumulated by the generator for up to 180 days from the start date of accumulation for each container prior to being sent for disposal.

- Next to the Tub Wash the inspectors observed a 30-gallon red container (Photo 13) labeled “Dirty Rags” that is used to collect solvent-contaminated wipes. The container did not have an accumulation start date.
- On the Loading Dock Outside of Warehouse A the inspectors observed Two (2) 55-gallon containers of solvent-contaminated wipes labeled “dirty rags” (Photo 21). The container did not have an accumulation start date.
- Near the Baghouse the inspectors observed one (1) 55-gallon container of solvent-contaminated wipes. The container did not have an accumulation start date.
- In the Milling Area the inspectors observed one (1) 5-gallon container of solvent-contaminated wipes that did not have an accumulation start date.
- In the QC Laboratory the inspectors observed one 5-gallon closed container of solvent-contaminated wipes labeled “dirty rags”. The container did not have an accumulation start date.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11], a person who generates a solid waste, as defined in 40 C.F.R. § 261.2, must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations.

- In the Breezeway in between the North and South Buildings the inspectors observed 24 containers varying in size (one quart to 5-gallons) on a wooden pallet staged for product consolidation or waste removal.
- In Warehouse B the inspectors observed several sacks of CIMBAR/ barium sulfate on a rack and some barium sulfate spilled on the floor. The inspectors requested that the facility sweep up the spilled barium sulfate and properly dispose of it as it did not appear that a hazardous waste determination has been made for barium sulfate waste.
- In Warehouse B the inspectors observed two wooden pallets stacked with containers varying in size from 1-5 gallons and several bags and boxes containing material with some containers being marked with a DOT hazardous material label (Photos 14 and 15). The material in these containers had not yet been determined as waste or if they could be used as product.
- On the Loading Dock outside of Warehouse A the inspectors observed Two (2) 55-gallon closed containers labeled “dirty mop heads”. Waste profiles or hazardous waste determinations could not be provided for the dirty mop heads (Photo 19).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.11(f)], a small or large quantity generator must maintain records supporting its hazardous waste determinations, including records that identify whether a solid waste is a hazardous waste, as defined by [O.C.G.A. §12-8-62(10) and Ga. Comp. R. and Regs. 391-3-11-.07(1)] [40 C.F.R. § 261.3]. Records must be maintained for at least three years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal. These records must comprise the generator's knowledge of the waste and support the generator's determination, as described at paragraphs (c) and (d) of this section. The records must

include, but are not limited to, the following types of information: The results of any tests, sampling, waste analyses, or other determinations made in accordance with this section; records documenting the tests, sampling, and analytical methods used to demonstrate the validity and relevance of such tests; records consulted in order to determine the process by which the waste was generated, the composition of the waste, and the properties of the waste; and records which explain the knowledge basis for the generator's determination, as described at paragraph (d)(1) of this section. The periods of record retention referred to in this section are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Administrator.

- Under the Baghouse, the inspectors observed two (2) 55-gallon containers of dust collector waste (Photo 23). Facility representatives manage the dust collector waste as non-hazardous waste. Waste profiles and/ or a waste determination for the dust collector waste was not available for review.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. §262.15(a)], a generator may accumulate as much as 55 gallons of non-acute hazardous waste and/or either one quart of liquid acute hazardous waste listed in [Ga. Comp. R. and Regs. 391-3-11-.07(1)] [40 C.F.R. § 261.31 or § 261.33(e)] of this chapter or 1 kg (2.2 lbs) of solid acute hazardous waste listed in [Ga. Comp. R. and Regs. 391-3-11-.07(1)] [40 C.F.R. § 261.31 or § 261.33(e)] of this chapter in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with the requirements of [Ga. Comp. R. and Regs. 391.3-11-.10(1)&(2), 391.3-11-.11] [40 C.F.R. Parts 124, 264 through 267, and 270] of this chapter, provided that all of the conditions for exemption in this section are met. A generator may comply with the conditions for exemption in this section instead of complying with the conditions for exemption in [Ga. Comp. R. and Regs. 391-3-11-.08(1)] [40 C.F.R. § 262.16(b) or § 262.17(a)], except as required in [40 C.F.R. § 262.15(a)(7) and (8)].

- There is an SAA for QC laboratory waste located in front of the QC Laboratory. The inspectors observed one (1) 55-gallon container of solvent paint waste mixed with solids, one (1) 55-gallon container of highly concentrated solvent waste, and one (1) 55-gallon container of water-based paint (product) used in the laboratory.
- Near the Baghouse the inspectors observed two (2) 55-gallon containers of solvent waste, labeled "hazardous waste" (Photo 25).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(4)], which is a condition of the SAA permit exemption, a container holding hazardous waste must be closed at all times during accumulation, except: (i) When adding, removing, or consolidating waste; or (ii) when temporary venting of a container is necessary.

- In the Tub Wash Area the inspectors observed one (1) 55-gallon open container of sludge waste (Photo 12).
- On the Loading Dock outside of Warehouse A the inspectors observed one (1) 5-gallon open container of (2) Gloss Black DTM Epoxy Coating with about 1 ½ inches of material inside the container (Photo 18).

- In the Premix Area the inspectors observed one (1) 55-gallon container of solvent waste. The container was opened with just a plastic cover, labeled “Hazardous Waste”, and missing a hazard indication (Photo 22).
- In the Baghouse Area the inspectors observed, two (2) 55-gallon containers of solvent waste, labeled “hazardous waste”, not securely closed (Photo 25).
- In the Filling Area next to the Letdown the inspectors observed three (3) 55-gallon containers of hazardous waste that were open (Photos 26-29).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(i)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (i) The words “Hazardous Waste”.

- In the Tub Wash area, the inspectors observed one (1) 55-gallon open container of sludge waste with no hazardous waste label (Photo 12).
- In Warehouse A the inspectors observed one (1) 55-gallon container of highly concentrated solvent waste with no hazardous waste label (Photo 17).
- On the Loading Dock outside of Warehouse A the inspectors observed one (1) 5-gallon open container of (2) Gloss Black DTM Epoxy Coating with about 1 ½ inches of material inside the container (Photo 18). The container did not have a label on it.
- In the Milling Area the inspectors observed one (1) 55-gallon container labeled Blade Wash that was missing a hazardous waste label.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.15(a)(5)(ii)], which is a condition of the SAA permit exemption, a generator must mark or label its container with the following: (ii) an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

- In the Tub Wash area, the inspectors observed one (1) 55-gallon open container of sludge waste with no hazard indication (Photo 12).
- On the Loading Dock outside of Warehouse A the inspectors observed one (1) 5-gallon open container of (2) Gloss Black DTM Epoxy Coating with about 1 ½ inches of material inside the container (Photo 18). The container was not marked to indicate the hazards of the contents. Based on the SDS, the material is ignitable.
- In the Premix Area the inspectors observed one (1) 55-gallon container of solvent waste. The container was missing an indication of the hazard of the contents (Photo 22).
- Next to the baghouse the inspectors observed two (2) 55-gallon containers of solvent waste, labeled “hazardous waste”, not securely closed, and not marked with an indication of the hazard of the contents (Photo 25).
- In the milling area the inspectors observed one (1) 55-gallon container labeled Blade Wash that was missing an indication of the hazard of the contents.
- In the Filling Area, the inspectors observed four (4) 55-gallon containers labeled “Hazardous Waste” but not marked with an indication of the hazards of the contents.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)], which is a condition of the LQG permit exemption, a large quantity generator accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension or F006 accumulation conditions for exemption in paragraphs (b) through (e) of this section.

- In the 90-day CAA, the inspectors observed two (2) 55-gallon containers that appeared to have been stored over 90 days with a start accumulation date of 02/19/2023 (Photo 32) and 03/17/2023 (Photo 33).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(1)(iv)(A)], which is a condition of the LQG permit exemption, a container holding hazardous waste must always be closed during accumulation, except when it is necessary to add or remove waste.

- In the Breezeway in between the North and South Building the inspectors observed two (2) 55-gallon containers of hazardous waste, marked ignitable, that were covered with a loose plastic wrap type of material and not securely closed with an actual solid lid.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 40 CFR 262.17(a)(1)(v)], at least weekly, the large quantity generator must inspect central accumulation areas. The large quantity generator must look for leaking containers and for deterioration of containers caused by corrosion or other factors. See paragraph (a)(1)(ii) of this section for remedial action required if deterioration or leaks are detected.

- Documentation for weekly inspections of the hazardous waste CAA were missing for 2020, 2021, January 2022, February 2022, and May 2023.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(2)], which is a condition of the LQG permit exemption, if the waste is placed in tanks, the large quantity generator must comply with the applicable requirements of subparts J, except Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.197(c)] of Closure and post-closure care and Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.200]—Waste analysis and trial tests, as well as the applicable requirements of Ga. Comp. R. and Regs. 391-3-11-.10(1) [AA, BB, and CC of 40 C.F.R. Part 265].

- The recirculation tank in the Tub Wash area is accumulating and storing hazardous waste sludge from the reclaimed solvent wash (used solvent from mill washing) stored in the tank, which is being recirculated in the tank to clean the dirty tubs.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(A)], which is a condition of the LQG permit exemption, a large quantity generator must mark or label its containers with the following: (A) The words “Hazardous Waste”.

- In the Breezeway in between the North and South Building the inspectors observed seven (7) 55-gallon containers of hazardous waste marked with an indication of the hazards of the contents but were not labeled “Hazardous Waste” (Photos 2-8).

- In the 90-day CAA the inspectors observed one (1) 55-gallon container that was not labeled “Hazardous Waste” (Photo 31).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(B)], which is a condition of the LQG permit exemption, a large quantity generator must mark or label its containers with the following: an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

- In the 90-day CAA the inspectors observed one (1) 55-gallon container that was not marked with an indication of the hazards of the contents (Photo 31).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(i)(C)], which is a condition of the LQG permit exemption, a large quantity generator must mark or label its containers with the following: The date upon which each period of accumulation begins clearly visible for inspection on each container.

- In the Breezeway in between the North and South Building the inspectors observed seven (7) 55-gallon containers of hazardous waste that were not dated with the accumulating start date (Photos 2-8).
- In the 90-day CAA the inspectors observed one (1) 55-gallon container that did not have a start accumulation date (Photo 31).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(5)(ii)(A-D)], which is a condition of the LQG permit exemption, a large quantity generator accumulating hazardous waste in tanks must do the following: (A) Mark or label its tanks with the words “Hazardous Waste”; (B) Mark or label its tanks with an indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704); (C) Use inventory logs, monitoring equipment or other records to demonstrate that hazardous waste has been emptied within 90 days of first entering the tank if using a batch process, or in the case of a tank with a continuous flow process, demonstrate that estimated volumes of hazardous waste entering the tank daily exit the tank within 90 days of first entering; and (D) Keep inventory logs or records with the above information on site and readily available for inspection.

- The recirculation tank in the Tub Wash area is accumulating and storing hazardous waste sludge from the reclaimed solvent wash (used solvent from mill washing) stored in the tank, which is being recirculated in the tank to clean the dirty tubs.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.17(a)(7)(iv)], which is a condition of the LQG permit exemption, the large quantity generator must maintain the following documents and records at the facility: (A) The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; (B) A written job description for each position listed under paragraph (a)(7)(iv)(A) of this section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position; (C) A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under paragraph (a)(7)(iv)(A) of this section; (D) Records that document that the training or job experience, required under paragraphs (a)(7)(i), (ii), and (iii) of this section, has been given to, and completed by, facility personnel.

- Facility job descriptions for employees handling hazardous waste was not available for review. The facility did not provide a written description of the type and amount of both introductory and continuing training to be given to each person filling the positions listed above. The inspectors reviewed records of employee hazardous waste training completed on May 3, 2022, for Frank Scott and Jodi Ingram. Training records were not available for 2021 and 2023.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.40(a)], a generator must keep a copy of each manifest signed in accordance with [Ga. Comp. R. and Regs. 391-3-11-.08(1)] [40 C.F.R. § 262.23(a)] for three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter.

- Manifest records were not available for review for the years 2020-2022.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.251], a large quantity generator must maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

- In the Breezeway, there were two (2) 55-gallon containers of hazardous waste that were not properly closed with a solid lid and ring and two (2) 5-gallon containers that did not have a secure lid and were labeled “solvent-based primer” and contained material inside (Photos 9-11).
- In the Staging Area for In-Progress Containers and Solvent Wash Containers the inspectors observed several 55-gallon containers with products staged against a wall waiting to be added to a mixture of paint. Some of these are water-based additives while others are solvent-based additives. The containers are covered with a loose plastic which is fitted to the container instead of a secure solid lid sealed with a drum ring.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.256(b)], the large quantity generator shall maintain records documenting the arrangements with the local fire department as well as any other organization necessary to respond to an emergency. This documentation must include documentation in the operating record that either confirms such arrangements actively exist or, in cases where no arrangements exist, confirms that attempts to make such arrangements were made.

- Documentation showing proof that a copy of the Contingency Plan was submitted to the local emergency response authorities was not provided.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.262(b)], A large quantity generator that first becomes subject to these provisions after May 30, 2017 or a large quantity generator that is otherwise amending its contingency plan must at that time submit a quick reference guide of the contingency plan to the local emergency responders identified at paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee. The quick reference guide must include the following elements: (1) The types/names of hazardous wastes in layman's terms and the associated hazard associated with each hazardous waste present at any one time (e.g., toxic paint wastes, spent ignitable solvent, corrosive acid); (2) The estimated maximum amount of each hazardous waste that may be present at any one time; (3) The identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff; (4) A map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes; (5) A street map of the facility in relation to surrounding businesses, schools and residential areas to understand how best to get to the facility and also evacuate citizens and workers; (6) The locations of water supply (e.g., fire hydrant and its flow rate); (7) The identification of on-site notification systems (e.g., a fire alarm that rings off site, smoke alarms); and (8) The name of the emergency coordinator(s) and 7/24-hour emergency telephone number(s) or, in the case of a facility where an emergency coordinator is continuously on duty, the emergency telephone number for the emergency coordinator.

- The facility did not have a QRG attached to the contingency plan. The most current contingency plan was amended in 2021, after the Generator Improvement Rule was authorized in the state of Georgia.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.08(1) [40 C.F.R. § 262.263], the contingency plan must be reviewed, and immediately amended, if necessary, whenever: (d) The list of emergency coordinators changes.

- The plan lists the names and emergency telephone numbers for persons identified as emergency coordinators. Scott Porterfield is listed as the primary emergency coordinator and is no longer with the company.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.1083(c)(1)], a tank, surface impoundment, or container is exempt from standards specified in Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.1085 through 265.1088] of this subpart, as applicable, provided that the waste management unit is one of the following: (1) A tank, surface impoundment, or container for which all hazardous waste entering the unit has an

average VO concentration at the point of waste origination of less than 500 parts per million by weight (ppmw). The average VO concentration shall be determined using the procedures specified in Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.1084(a)] of this subpart. The owner or operator shall review and update, as necessary, this determination at least once every 12 months following the date of the initial determination for the hazardous waste streams entering the unit.

- The inspectors observed two (2) 55-gallon containers labeled “solvent waste” and marked with an indication of the hazard of the contents without a secure solid lid sealed with a ring to prevent any volatile organic compounds from escaping the container (Photos 4 and 7).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.10(1) [40 C.F.R. § 265.1087(c)(1)(ii)], which is a condition of the LQG permit exemption, a container using Container Level 1 controls is one of the following: (ii) a container equipped with a cover and closure devices that form a continuous barrier over the container openings such that when the cover and closure devices are secured in the closed position there are no visible holes, gaps, or other open spaces into the interior of the container. The cover may be a separate cover installed on the container (e.g., a lid on a drum or a suitably secured tarp on a roll-off box) or may be an integral part of the container structural design (e.g., a “portable tank” or bulk cargo container equipped with a screw-type cap).

- The inspectors observed two (2) 55-gallon containers labeled “solvent waste” and marked with an indication of the hazard of the contents without a secure solid lid sealed with a ring to prevent any volatile organic compounds from escaping the container (Photos 4 and 7).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.13(d)(1)], a small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

- In the Maintenance Room the inspectors observed ten (10) spent fluorescent bulbs in an open container (Photo 33).

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.14(e)], each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: “Universal Waste—Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s)”.

- In the Maintenance Room the inspectors observed ten (10) spent fluorescent bulbs (Photo 33), not labeled with the words “Universal Waste”.

Pursuant to Ga. Comp. R. and Regs. 391-3-11-.18 [40 C.F.R. § 273.15(c)], a small quantity handler of universal waste who accumulates universal waste must be able to demonstrate

the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

- The inspectors observed ten (10) spent fluorescent bulbs (Photo 33) not marked with an accumulation start date.

15) List of Appendices

Appendix 1 – Photo Log:

16) Signed

KAYLA ACOSTA Digitally signed by KAYLA
ACOSTA
Date: 2023.07.27 19:14:19 -04'00'

Kayla Acosta
Physical Scientist

17) Concurrence

ARACELI CHAVEZ Digitally signed by ARACELI CHAVEZ
Date: 2023.07.28 13:17:16 -04'00'

Araceli B. Chavez
RCRA Enforcement Section

Appendix 1 – Photo Log

[#34] Photos taken on: 05/31/2023

Photos taken by: Kayla Acosta

Photos taken with Canon PowerShot Elph 180

EPA Property Tag: S/N 902063018726



Photo 1: 55-gallon container labeled non-hazardous waste.

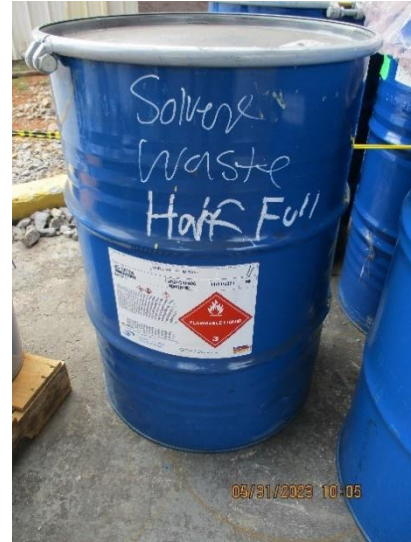


Photo 2: 55-gallon container of solvent waste, no hazardous waste label, no start accumulation date.



Photo 3: 55-gallon container of pigment waste. No hazardous waste label, no start accumulation date.



Photo 4: 55-gallon container of solvent waste, open, no hazardous waste label or start accumulation date.



Photo 5: 55-gallon container of pigment waste. No hazardous waste label, no start accumulation date.



Photo 6: 55-gallon container of solvent waste. No hazardous waste label, no start accumulation date.



Photo 7: 55-gallon container of solvent waste, open, no hazardous waste label, no start accumulation date.



Photo 8: 55-gallon container of solvent waste, no hazardous waste label and no start accumulation date.



Photo 9: 24 containers varying in size (one quart to 5-gallons) did not have a hazardous waste determination.



Photo 10: 5-gallon container that did not have a secure lid and containing solvent-based primer material inside.

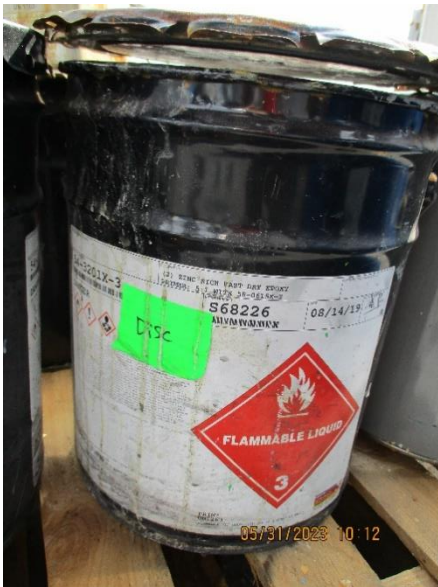


Photo 11: 5-gallon container that did not have a secure lid and containing solvent-based primer material inside.



Photo 12: One (1) 55-gallon container of sludge waste with no hazardous waste label, no hazard indication, and open.



Photo 13: Red can of dirty rags by tub washer.



Photo 14: Containers varying in size from 1-5 gallons. The containers had not yet been determined to be waste or to be used as product.



Photo 15: Containers varying in size from 1-5 gallons and several bags and boxes containing material with some containers being marked with a DOT hazardous material placard. The containers had not yet been determined to be waste or to be used as product.



Photo 16: One (1) 55-gallon container of solvent paint-mixed solids, closed, with a small hazardous waste label and an indication of hazard.



Photo 17: One (1) 55-gallon container of highly concentrated solvent waste, no hazardous waste label, and a hazard indication.



Photo 18: One (1) 5-gallon open container with about 1 ½ inches of material inside the container. The container did not have a label on it.

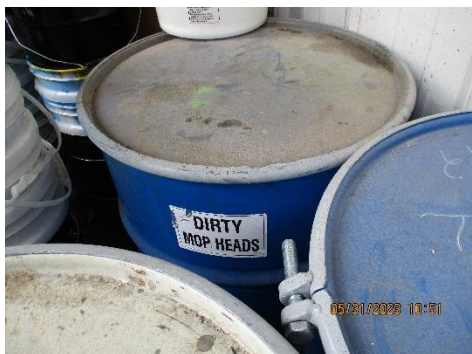


Photo 19: Two (2) 55-gallon closed containers labeled “dirty mop heads”. Dirty mop heads are taken by CINTAS.



Photo 20: Two (2) 55-gallon containers that appeared to have material inside and did not have any sort of labeling (photo).



Photo 21: Two (2) 55-gallon containers labeled “dirty rags”.



Photo 22: One (1) 55-gallon container of solvent waste. The container was open with just a plastic cover, labeled “Hazardous Waste”, and missing a hazard indication



Photo 23: Two (2) 55-gallon containers of dust collector waste. Facility representatives manage the dust collector waste as non-hazardous waste. Waste profiles and/ or a waste determination for the dust collector waste not available for review.



Photo 24: One (1) 55-gallon container of solvent-contaminated wipes. The container was not properly closed and was missing a label and did not have an accumulation start date.



Photo 25: The inspectors also observed two (2) 55-gallon containers of solvent waste, labeled “hazardous waste”, not properly closed, and not marked with a hazard identification.



Photo 26: SAA in Filling Area



Photo 27: One (1) 55-gallon container of solvent waste, labeled “Hazardous Waste”, not marked with an indication of hazard, and the container was open.



Photo 28: One (1) 55-gallon container of solvent waste bags, labeled “Hazardous Waste”, not marked with an indication of hazard, and the container was open.



Photo 29: One (1) 55-gallon container of tool wash, labeled “Hazardous Waste”, not marked with an indication of hazard, and the container was open.



Photo 30: 90-Day CAA



Photo 31: 55-gallon container in CAA with no label, hazard identification, or start accumulation date.



Photo 32: 55-gallon container stored over 90-days.



Photo 33: 55-gallon container stored over 90-days.



Photo 34: Ten (10) spent fluorescent bulbs in an open container, not labeled with the words "Universal Waste", or marked with an accumulation start date.